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Attorneys for Third-Party Defendant, Charles Lanyard

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY**

**IN RE: JEEP EAGLE 17, INC., ET AL.,**  
**Debtor**

**LEIGH E. RZASA-ORMES,**  
**Plaintiff**  
**vs.**  
**Defendant**

**JOSEPH S. ABOYOUN, ESQ., JOHN DOE**  
**1-10 (fictitious names for persons or entities**  
**whose roles are unknown), XYZ COMPANY**  
**(fictitious names and entities whose roles are**  
**unknown), GIBLIN & GIBLIN, PAUL**  
**GIBLIN, PAUL GIBLIN, JR., ESQ. and**  
**BRIAN GIBLIN,**  
**Plaintiffs - Third Party Plaintiffs**

**GIBLIN & GIBLIN, PAUL GIBLIN and**  
**BRIAN GIBLIN,**  
**vs.**  
**Third - Party Defendant**

**NICHOLAS G. PALEOLOGOS, CHUCK**  
**LANYARD and ROBERT HASSETT,**  
**Counter - Defendant**

**PAUL GIBLIN and GIBLIN & GIBLIN**  
**vs.**  
**Third - Party Defendant**

**ROBERT HASSETT, CHUCK LANYARD**  
**and NICHOLAS G. PALEOLOGOS.**

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

Case No.: 09-23708-DHS  
Chapter 11

Adversary Proceeding No.: 09-2289-DHS

Civil Action

**ANSWERS AND  
SEPARATE DEFENSES**

U.S. BANKRUPTCY COURT  
FILED  
NEW JERSEY  
09 OCT 26 AM 11:09  
BY: *[Signature]*  
DEPUTY CLERK

Third-Party Defendant, Charles Lanyard, mis-designated as Chuck Lanyard, Answers the Third-Party Complaint as follows:

ANSWER TO FIRST COUNT

1. Denied.
2. Denied.

Wherefore, Third-Party Defendant Charles Lanyard, mis-designated as Chuck Lanyard, seeks dismissal of the First Count together with attorney fees and other sanctions pursuant to the frivolous litigation statute.

FIRST SEPARATE DEFENSE

Third-Party Complaint fails to set forth cause of action upon which relief can be granted.

SECOND SEPARATE DEFENSE

Third-Party Plaintiffs claims, if any, are barred by waiver laches and estoppel.

THIRD SEPARATE DEFENSE

Any damage or loss sustained by Third-Party Plaintiffs is a result of their own negligent conduct and the failure to adhere to the standards of legal practice.

FOURTH SEPARATE DEFENSE

The Third-Party Complaint is barred by the Statute of Limitations.

FIFTH SEPARATE DEFENSE

Damages, if any, were the result of the sole and/or comparative negligence of the Plaintiff, Third-Party Plaintiffs or other parties to this litigation.

SIXTH SEPARATE DEFENSE

Third-Party Plaintiffs' damages, if any, were caused as a result of the conduct of Third-Parties for whom this Defendant has no responsibility.

SEVENTH SEPARATE DEFENSE

Any damages suffered by Third-Party Plaintiffs were the direct result of their failure to take appropriate action to prevent such damages and by resulting failure to Litigate any damages.

EIGHTH SEPARATE DEFENSE

Third-Party Plaintiffs damages, if any were caused by the intervening acts or omissions of parties other than this Defendant, and were the superseding cause of Plaintiffs damages and were not reasonably foreseeable.

NINTH SEPARATE DEFENSE

This party is not responsible for, nor was it the proximate cause of, any injuries sustained by the Plaintiff or the Third-Party Plaintiffs.

TENTH SEPARATE DEFENSE

This party did not breach any professional duties.

ELEVENTH SEPARATE DEFENSE

Any information or opinions given by this Third-Party Defendant were consistent with the degree of care and skill required of this Defendant.

CLAIM FOR CONTRIBUTION AND INDEMNIFICATION

This party hereby asserts a claim for indemnification and a claim for contribution, as applicable, against each party now or hereafter joined herein.

This Defendant(s), by way of answer to any cross-claims which have been or may be asserted against it, hereby denies each and every allegation thereof.

REQUEST FOR STATEMENT OF THE AMOUNT OF DAMAGES CLAIMED

This party requests within five (5) days of the service of this Answer, a written statement of the amount of damages claimed by the Plaintiff, in each count of the Complaint, in accordance with the Rules

of the Court.

DESIGNATION OF TRIAL COUNSEL

You are hereby notified that **Michael R. Ascher, Esq.**, is assigned to try this case.

REQUEST FOR ALLOCATION

If any Co-Defendant settles prior to verdict, this Defendant will seek an allocation of the percentage of negligence by the fact finder against the settling Co-Defendant. We will seek this allocation, whether or not we have formally filed a cross-claim against the settling Co-Defendant. We will rely upon the examination and cross-examination of Plaintiff's expert witnesses and any other witnesses at time of Trial, in support of this allocation.

DEMAND FOR PLEADINGS/DISCOVERY

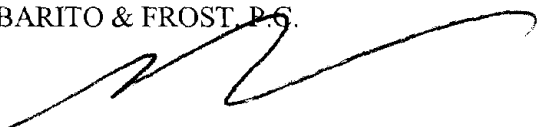
TAKE NOTICE that the undersigned attorney, counsel for this Defendant, does hereby demand, that each party herein serving Pleadings and Interrogatories and receiving Answers thereto, serve copies of all such Pleadings and Answered Interrogatories received from any party, including any documents, papers, and other materials referred to herein, upon the undersigned attorney, and

TAKE NOTICE that this is a continuing demand.

CERTIFICATION

It is hereby CERTIFIED that a copy of the within Pleading was served upon the attorneys for the Plaintiff.

EINHORN, HARRIS, ASCHER,  
BARBARITO & FROST, P.C.

By:   
Michael R. Ascher

Dated: October 21, 2009